



on the face of the record in order to accept the recommendation.”). The Court has reviewed the report and recommendation and finds no clear error.

**IT IS THEREFORE ORDERED** that the Report and Recommendation of United States Magistrate Judge Lane (ECF No. 16) is **ADOPTED**.

**IT IS FURTHER ORDERED** that Individual Defendants’ Rule 12(b) Motion to Dismiss (ECF No. 6) is **GRANTED**.

**IT IS FURTHER ORDERED** that Haverda Enterprises’ Motion to Dismiss, or Alternatively, Motion for Summary Judgment (ECF No. 7) is **DENIED** without prejudice.

**IT IS FURTHER ORDERED** that Plaintiff’s Motion to Change Venue or Alternatively Motion to Compel Discovery is construed as a motion to dismiss without prejudice and Aguilar’s claims are **DISMISSED** without prejudice.

**SIGNED** this 28th day of July, 2023.

  
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ALAN D ALBRIGHT  
UNITED STATES DISTRICT JUDGE